

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
GREAT FALLS DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JEREMY LEO TINCER,

Defendant.

CR-20-11-GF-BMM

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

United States Magistrate Judge John Johnston entered Findings and Recommendations in this matter on September 24, 2024. (Doc. 97.)

When a party makes no objections, the Court need not review *de novo* the proposed Findings and Recommendations. *Bad Old Man v. Arn*, 474 U.S. 140, 153-52 (1986). This Court will review Judge Johnston's Findings and Recommendations, however, for clear error. *McDonnell Douglas Corp. v. Commodore Bus. Mach., Inc.*, 656 F.2d 1309, 1313 (9th Cir. 1981).

Judge Johnston conducted a revocation hearing on September 23, 2024. (Doc. 93.) The United States accused Jeremy Leo Tincher (Tincher) of violating

his conditions of supervised release by: (1) possessing spice, a psychoactive substance on September 3, 2024; and (2) being terminated from his placement at Alpha House, a residential reentry center, on September 3, 2024. (Doc. 90.)

At the revocation hearings Tincher admitted to having violated the conditions of his supervised release by: (2) being terminated from his placement at Alpha House, a residential reentry center, on September 3, 2024. Tincher denied allegation (1) possessing spice a psychoactive substance on September 3, 2024. The Government moved to dismiss allegation (1), which the Court granted. (Doc. 93.)

Judge Johnston found that the violation Tincher admitted proves serious and warrants revocation of his supervised release and recommends a sentence until December 30, 2024, with no term of supervised release to follow. (Doc. 97.) Tincher was advised of the 14 day objection period and his right to allocute before the undersigned. (Doc. 93.) The violation proves serious and warrants revocation of Tincher's supervised release. The Court finds no clear error in Judge Johnston's Findings and Recommendations.

Accordingly, **IT IS ORDERED** that Judge Johnston's Findings and Recommendations (Doc. 97.) are **ADOPTED IN FULL**. **IT IS FURTHER**

ORDERED that Jeremy Leo Tincher be sentenced to a term of custody until December 30, 2024, with no supervised release to follow.

DATED this 9th day of October, 2024.



Brian Morris, Chief District Judge
United States District Court